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McCORDUCK PROPERTIES LIVERMORE, LLC  
A Delaware Limited Liability Company

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PALMTREE ACQUISITION  
CORPORATION, a Delaware corporation,

Plaintiff,

vs.

MICHAEL R. NEELY, an individual;  
PERRY J. NEELY, an individual; GARY  
NEELY an individual; MICHAEL R.  
NEELY, PERRY J. NEELY and GARY  
NEELY dba MIKE'S ONE HOUR  
CLEANERS; CHARLES FREDERICK  
HARTZ dba PAUL'S SPARKLE  
CLEANERS; CHARLES F. HARTZ, an  
individual; MULTIMAC CORPORATION,  
a New Jersey corporation; WESTERN  
STATES DESIGN, a California corporation;  
McCORDUCK PROPERTIES  
LIVERMORE, LLC, a Delaware limited  
liability company individually and as the  
successor to JOHN McCORDUCK,  
KATHLEEN McCORDUCK, PAMELA  
McCORDUCK MARONA, and IMA  
FINANCIAL CORPORATION, a California  
corporation; STARK INVESTMENT  
COMPANY, a California general  
partnership; GRUBB & ELLIS REALTY  
INCOME TRUST, LIQUIDATING TRUST,  
a California trust; and DOES 1-20, inclusive,

Defendants.

No. CV 08 3168 EMC

STIPULATION RE EXTENSION  
OF TIME TO RESPOND ; ORDER

Hon. Edward M. Chen

STIPULATION

Pursuant to Local Rule 6-1(a), the parties below hereby stipulate to allow Defendant McCORDUCK PROPERTIES LIVERMORE, LLC, until September 15, 2008 to answer or otherwise respond to the Complaint of Plaintiff PALMTREE ACQUISITION CORPORATION.

Dated: Aug. 26, 2008

COX, CASTLE & NICHOLSON, LLP

By Peter M. Morrisette  
PETER M. MORRISETTE  
Attorney for Plaintiff

Dated: Aug. 26, 2008

GORDON, WATROUS, RYAN, LANGLEY  
BRUNO & PALTENGHI

By Bruce C. Paltenghi  
BRUCE C. PALTENGHI, Attorneys for  
McCORDUCK PROPERTIES LIVERMORE,  
LLC  
A Delaware Limited Liability Company

STIPULATION

Pursuant to Local Rule 6-1(a), the parties below hereby stipulate to allow Defendant McCORDUCK PROPERTIES LIVERMORE, LLC, until September 15, 2008 to answer or otherwise respond to the Complaint of Plaintiff PALMTREE ACQUISITION CORPORATION.

Dated: \_\_\_\_\_, 2008

COX, CASTLE & NICHOLSON, LLP

By \_\_\_\_\_  
PETER M. MORRISETTE  
Attorney for Plaintiff

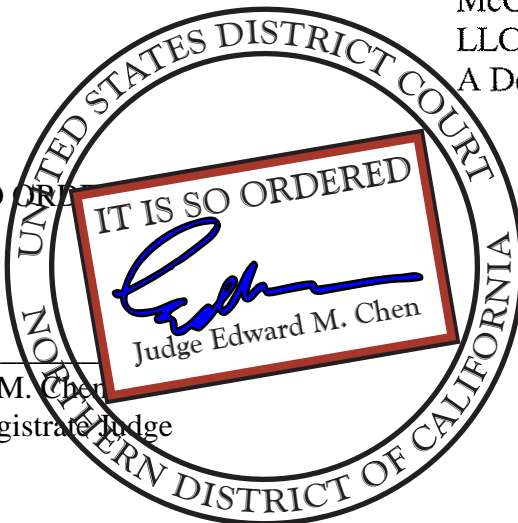
Dated: Aug. 26, 2008

GORDON, WATROUS, RYAN, LANGLEY  
BRUNO & PALTENGHI

By B. C. Paltenghi  
BRUCE C. PALTENGHI, Attorneys for  
McCORDUCK PROPERTIES LIVERMORE,  
LLC  
A Delaware Limited Liability Company

IT IS SO ORDERED

Edward M. Chen  
U.S. Magistrate Judge



**Palmtree Acquisition Corp. v. McCorduck Properties Livermore, LLC, et al.**  
USDC, Northern District of California Case No. CV 08 3168 EMC

**PROOF OF SERVICE**

I declare that I am employed in the County of Contra Costa, California. I am over the age of eighteen years and not a party to the within cause; my business address is 611 Las Juntas Street, Martinez, California.

On August 26, 2008, I served the within **STIPULATION RE EXTENSION OF TIME TO RESPOND**, on the following interested party(s) in said cause:

**SEE ATTACHED MAILING LIST.**

**VIA MAIL - CCP §§1013(a), 2015.5**

By placing a true copy thereof enclosed in a sealed envelope(s), addressed as above, and placing each for collection and mailing on that date following ordinary business practices. I am readily familiar with my firm's business practice of collection and processing of correspondence for mailing with the United States Postal Service and correspondence placed for collection and mailing would be deposited with the United States Postal Service at Martinez, California, with postage thereon fully prepaid, that same day in the ordinary course of business.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on August 26, 2008, at Martinez, California.



Janice P. Anderson

**Palmtree Acquisition Corp. v. McCorduck Properties Livermore, LLC, et al.**  
USDC, Northern District of California Case No. CV 08 3168 EMC

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